

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, October 11, 2007, the following members were present:

Greg Jergeson, Chairman  
Doug Mood, Vice Chairman  
Brad Molnar, Commissioner  
Robert H. Raney, Commissioner  
Ken Toole, Commissioner

APPEARANCE

Gary Duncan, Utility Division

(392) In the matter of N2007.9.113-Qwest Corporation. On September 26, 2007, Qwest Corporation filed for Commission approval a Qwest Line Volume Advantage MSA Agreement between Qwest and BFS Retail and Commercial Operations, LLC (Bridgestone).

Commissioner Raney moved to approve the MSA between Qwest Corporation and BFS Retail and Commercial Operations, LLC in Docket No. N2007.9.113. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Phil Cooke, Consumer Division

(393) In the matter of Winter Termination Policy. The PSC's winter termination rules require utilities to obtain approval before shutting off electric or natural gas service to a nonpaying residential customer from November 1 to April 1.

Commissioner Raney moved to delegate authority to compliance staff to approve or disapprove winter shutoff requests. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Division

(394) In the matter of T-07.42.ST. On July 31, 2007 Harold F. Stacy, Great Falls, Montana filed an application to transfer PSC No. 408 to AA Moving, Storage and Transfer LLC, Whitefish, Montana.

Commissioner Toole moved to approve transfer as applied for. Commissioner Jergeson seconded the motion, which passed unanimously.

(395) In the matter of T-07.46.OTSC. On September 26, 2007 an Order to Show Cause was issued to Curtis D. Owen dba Owen Waste Collection Service, Big Sandy, Montana, PSC No. 9374, for failure to file liability insurance.

Commissioner Jergeson moved to cancel PSC No. 9374 for failure to file liability insurance. Commissioner Toole seconded the motion, which passed unanimously.

(396) In the matter of TN2366. Kenneth W. Sorensen & Evelyne J. Sorensen, husband and wife, dba Kootenai Transfer & Storage, Libby, Montana request permission to lease PSC No. 2075 to Donald P. Emery dba Kootenai Transfer & Storage, Graham, Washington for a six month period, October 11, 2007 to April 11, 2008.

Commissioner Mood moved to approve the lease of PSC No. 2075 as applied for. Commissioner Molnar seconded the motion, which passed unanimously.

(397) In the matter of the approval of Commission Minutes for the week of October 1, 2007.

Commissioner Toole moved to approve the Minutes for the week of October 1, 2007. Commissioner Raney seconded the motion, which passed unanimously.

#### APPEARANCE

Kate Whitney, Administrator Utility Division

(398) In the matter of the Commission's discussion of D2007.6.70-Qwest. Stipulation re: request to modify Performance Indicator Definitions & Qwest Performance Assurance Plan provisions found in Exhibits B and K of Qwest's Statement of Generally Available Terms and Conditions.

Commissioner Jergeson moved to support the ROC resolution concerning establishment of a multi-state collaborative review of the pending PID/QPAP filing and authorize staff to participate in the multi-state review. Commissioner Toole seconded the motion, which passed unanimously.

#### APPEARANCE

Robin McHugh, Administrator, Legal Division

(399) In the matter of the Commission's discussion of D2007.2.18- MTPSC dba Chinook Wireless application for designation as an ETC.

Commissioner Raney moved to grant the application of Rebecca DeCook for admission pro hac vice to practice law before the Commission in Docket D2007.2.18. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Legal Division

(400) In the matter of the Commission's discussion of D2005.6.105- PSC Initiated investigation, direction, Qwest use of federal USFs.

Commissioner Raney moved to continue the suspension but for the items the commission acted on today. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Legal Division

Joel Tierney and Eric Dahlgren, Utility Division

(401) In the matter of the Commission's discussion of PSC Initiated 2007/2008 heating season natural gas Btu monitoring program and contracts.

Commissioner Raney moved to approve the natural gas Btu monitoring program and contracts for the 2007/2008 heating season. Commissioner Molnar seconded the motion, which passed unanimously.

(402) In the matter of the Commission's discussion of L-07.10.3-RUL-annual update to PSC pipeline safety rules;

Commissioner Mood moved to approve the draft notice with amendments (if any) and approve filing of the notice with the Secretary of State for publication in the Montana Administrative Registrar . Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(403) In the matter of the Commission's discussion of D2006.10.141-NorthWestern Energy's filing of Cost of Providing Electric and Natural Gas Service in Montana.

Commissioner Raney moved to grant NorthWestern Energy's motion to close Docket D2006.10.141. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(404) In the matter of the Commission's discussion of D2007.7.79-MDU request for protective order;

Commissioner Mood moved to grant MDU's request for a protective order on materials given to rating agencies. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Bryan Baldwin, Utility Division

(405) In the matter of the Commission's discussion of Organization of MISO States (OMS) Comments to FERC.

Commissioner Jergeson moved that Montana join in the OMS comments in MISO ancillary services market filing and to delegate authority to Commissioner Jergeson to field any amendments offered during the board meeting today. Commissioner Molnar seconded the motion, which passed unanimously.

Commissioner Jergeson moved that Montana generally agree with the OMS comments on the AEP's filing and delegate to Commissioner Jergeson any amendments offered during the board meeting today. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Utility Division

(406) In the matter of the Commission's discussion of D2007.7.74-Landmark Water LLC and Landmark Homeowners Association;

Commissioner Raney moved to dismiss the Application in Docket D2007.7.74 and close the docket. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator Utility Division

(407) In the matter of the Commission's discussion of Out-of-state travel-consider request for Bryan Baldwin to attend CREPC meeting in Tucson, AZ November 5-6.

Commissioner Raney moved to approve the out of state travel for Bryan Baldwin to attend CREPC in Tucson, AZ on November 5-6. Commissioner Toole seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGESON, Chairman

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DOUG MOOD, Vice Chairman

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BRAD MOLNAR, Commissioner

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ROBERT H. RANEY, Commissioner

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KEN TOOLE, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)